

REMARKS

Reconsideration and reexamination of the application are requested in view of the above amendments and the following remarks. Claims 1 and 3-4 are amended. Claim 5 is canceled without prejudice or disclaimer. Claims 1-4 are pending.

I. Amendments

The amendment to claim 1 deletes superfluous language.

The preambles of claims 3 and 4 are amended to a form more suitable for U.S. practice.

Claim 5 has been canceled.

No new matter has been added.

II. 35 USC 112 rejection

Claim 5 is rejected under 35 USC 112, first paragraph, as failing to comply with the written description requirement. To expedite prosecution, claim 5 has been canceled, rendering the rejection moot. Applicant does not concede the propriety of the rejection.

III. Prior art rejections

Claim 1 is rejected under 35 USC 102(b) as being anticipated by Rath (US 3,782,510).

In addition, claim 3 is rejected under 35 USC 103(a), as being unpatentable over Rath in view of Reeves (US 6,478,121).

In addition, claim 5 is rejected under 35 USC 103(a) as being unpatentable over Rath.

Applicant respectfully traverses.

Rath does not disclose a disk brake unit for a motorcycle, where part of the bridge section projects further radially inwards than an outer peripheral edge of the piston and the projecting part of the bridge section extends from the inner section to the outer section of the caliper body.

The rejection characterizes Rath as disclosing a piston 28, a caliper body 12 with an outer section 13, an inner section 15, and a bridge section 14. The rejection refers to

the structure disclosed in Figures 1-4 of Rath, and specifically mentions Figure 3 as allegedly disclosing part of the bridge section projecting further radially inwards than the outer peripheral edge of the piston and the projecting part of the bridge sections extending from the inner section to the outer section of caliper body.

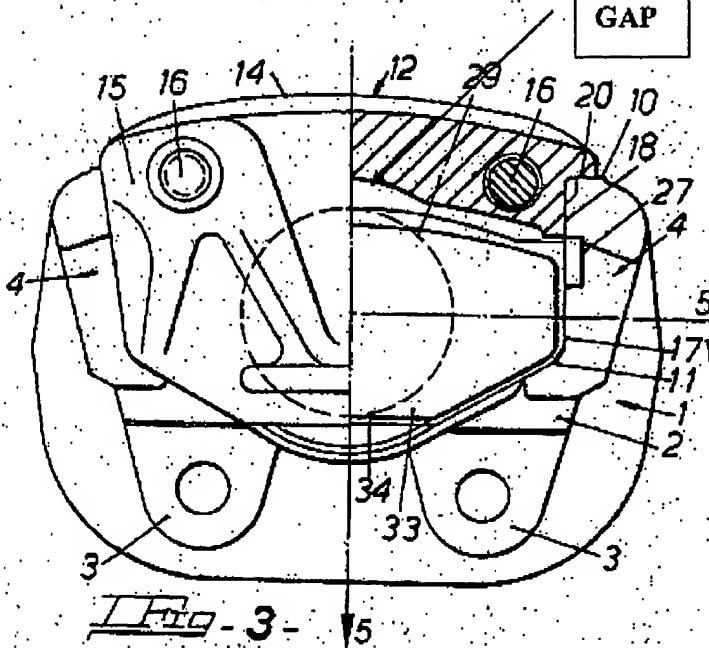
Figure 3 of Rath is reproduced below. Figure 3 illustrates the outline of the bore 29 in which the piston 28 will slide (column 4, lines 11-13). Figure 3 also illustrates the caliper 12 including the part, 14, characterized as the bridge section. As is evident from the area labeled by Applicant as "GAP" in Figure 3, no portion of the part 14 projects radially inward beyond the outer edge of the outline of the bore 29. Since the piston slides in the bore 29, no portion of the part 14 projects radially inward beyond the outer peripheral edge of the piston.

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GAP

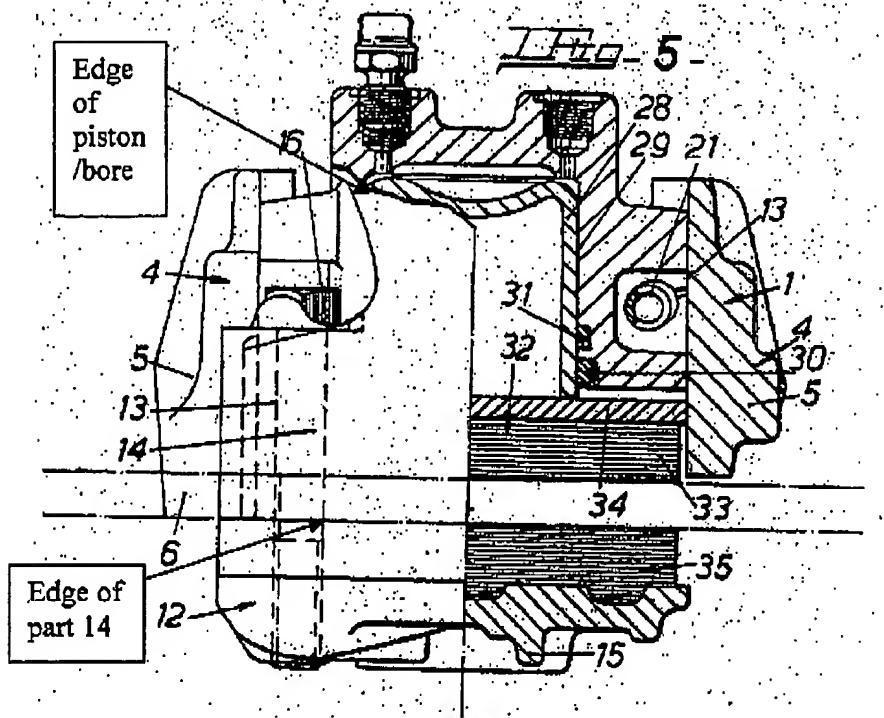


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To the contrary, as is evident from the area labeled by Applicant as "GAP" in Figure 3, Rath appears to form an arcuate channel in the part 14 near the location of the bore 29 and piston 28 that would take the part 14 further away from the bore 29 and piston 28.

Figures 10, 14 and 18 of Rath all appear to show that no portion of the part 14 projects radially inward beyond the outer peripheral edge of the piston.

Further, Figure 5 of Rath is reproduced below. Applicant has labeled what appear to be the edge of the piston 28/bore 29 and the edge of the part 14. From Figure 5, it does not appear that the part 14 projects further radially inwards than an outer peripheral edge of the piston.



Applicant can find no explicit or implicit disclosure in Rath that any part of the bridge section projects further radially inwards than the outer peripheral edge of the piston. If the rejection is maintained, Applicant requests that the Examiner specifically identify in Figure 3 which part is considered the bridge section that allegedly meets the limitation recited in claim 1.

Nor can Applicant find an explicit or implicit disclosure in Rath that the alleged projecting part of the part 14 extends from the inner section 15 to the outer section 13 of the caliper body.

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For at least these reasons, claim 1 is patentable over Rath. Claim 3 depends from claim 1 and is patentable along with claim 1 and need not be separately distinguished. Applicant does not concede the rejection to claim 3.

IV. Allowed subject matter

The allowance of claims 2 and 4 is gratefully noted. The remaining claims are believed to be allowable as well.

V. Conclusion

In view of the above, early issuance of a notice of allowance is solicited. Any questions regarding this communication can be directed to the undersigned attorney, Curtis B. Hamre, Reg. No. 29,165 at (612) 455-3802.

Respectfully submitted,



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